IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 1ST JANUARY 2007 / 11TH AGRAHAYANA 1928

Bail Appl..No. 7595 of 2006()

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Crime No.400/2006 of Parippally Police Station

PETITIONER/ACCUSED:

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L.S.SHAJI,
S/O.LAXMANAN, VARSHALAYAM, PAMBURAM,
KALLUVATHUKKAL P.O., KOLLAM.

BY ADV. SRI.P.A.NOOR MUHAMMED
SRI.C.K.PRASAD

RESPONDENT: COMPLAINANT:

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STATE OF KERALA,
REPRESENTED BY THE S.I.OF POLICE, PARIPPALLY,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V.Ramkumar, J.**

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**B.A.No.7595 of 2006**

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**Dated this the 1st day of January, 2007.**

**ORDER**

Petitioner, who is the accused in Crime No.400 of 2006 of Parippally Police Station originally registered for offences punishable under Sections 341, 323, 379 and 427 I.P.C. and subsequently confined to the above offences excluding for the offence punishable under Section 379 I.P.C., seeks anticipatory bail.

2. In as much as Section 379 I.P.C. which was the only non-bailable offence was subsequently deleted, the surviving offences are bailable offences. If so, invocation of Section 438 of Cr.P.C. is misconceived. Accordingly without prejudice to the right of the petitioner to seek regular bail from the Magistrate concerned, this petition is disposed of.

V.Ramkumar,
Judge.

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